

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

ANGEL D. MORALES VALLELLANES

Plaintiffs,

v.

CIVIL NO. 97-2459 (JAG/GAG)

JOHN E. POTTER, et. al.

Defendants

**OPPOSITION TO MOTION REQUESTING ORDER**

TO THE HONORABLE COURT:

COME NOW the defendants and through the undersigned attorneys to respectfully Oppose to Plaintiff's Motion Requesting Order (Docket Entry No. 324) as follows:

1. On October 4, 2006, this Honorable Court entered Order (Docket Entry No. 313) granting Defendant until November 1, 2006, to provide his Psychiatric Expert Report.
2. Dr. Ramón Fortuño forwarded his report yesterday, November 1<sup>st</sup>, 2006 and was forwarded to Plaintiff, via regular mail.
3. Plaintiff filed a Motion requesting Order to preclude Defendant the use of Expert Report. (Docket Entry No. 324).
4. Defendant informed this Honorable Court that Dr. Ramón O. Fortuño will serve as expert witness on behalf of the government and submitted his report by the deadline provided by this Honorable Court and was forwarded via regular mail to Plaintiff's counsel.

5. On this date, Defendant has provided Plaintiff with a copy of Dr. Fortuño's expert report via, electronic mail. **(See Attachment 1).**

6. The AUSA assigned to this case is currently out of the jurisdiction.

WHEREFORE, the defendants respectfully request from this Honorable Court that it deny Plaintiff's Motion Requesting Order as hereinabove set forth.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the foregoing document was filed with the Clerk of the Court using CM/ECF system, which will submit notification of such filing to: Miguel Miranda, Esq.

RESPECTFULLY SUBMITTED in San Juan, Puerto Rico this 2nd day of November 2006.

**ROSA EMILIA RODRIGUEZ VELEZ**  
United States Attorney

*s/Isabel Muñoz-Acosta*  
**ISABEL MUÑOZ-ACOSTA**  
U.S.D.C.-PR 128302  
Assistant U.S. Attorney  
FIDEL A. SEVILLANO DEL RIO  
U.S.D.C. PR 117812  
District of Puerto Rico  
Torre Chardon Building, Suite 1201  
350 Carlos Chardon Street  
Hato Rey, Puerto Rico 00918  
Telephone: (787) 766-5656  
Facsimile: (787) 766-6219